

Special Meeting Minutes
Wednesday, June 10, 2009
Meeting Scheduled Start Time: 10:00 AM

BOARD OF SUPERVISORS
Maricopa County, Arizona
(and the Boards of Directors of the Flood Control
District, Library District, Stadium District, Improvement
Districts, and/or Board of Deposit)



"The mission of Maricopa County is to provide regional leadership and fiscally responsible, necessary public services to its residents so they can enjoy living in healthy and safe communities"

Board Members

Max Wilson, District 4, Chairman
Fulton Brock, District 1
Don Stapley, District 2
Andrew Kunasek, District 3
Mary Rose Wilcox, District 5

County Manager

David Smith

Clerk of the Board

Fran McCarroll

Meeting Location

Sullivan Conference Room
301 W. Jefferson, 10th Floor
Phoenix, Arizona 85003

BOARD OF SUPERVISORS

The Board of Supervisors of Maricopa County Arizona convened in Special Session at 10:00 AM on Wednesday, June 10, 2009, in the Sullivan Conference Room with the following members present: Max Wilson, Chairman, District 4; Don Stapley, Supervisor, District 2 and Mary Rose Wilcox, Supervisor, District 5. Absent: Fulton Brock, Supervisor, District 1; Andrew Kunasek, Supervisor, District 3. Also present: Fran McCarroll, Clerk of the Board; Liz Evans, Minutes Coordinator; David Smith, County Manager; and Victoria Mangiapane, Deputy County Attorney.

In accordance with A.R.S. §38-431.05, the purpose of the meeting is to ratify and approve prior actions taken at the direction of the Board of Supervisors as a result of discussions in Executive Sessions held on February 23, 2009 and March 16, 2009.

ACTION

1. FILING A NOTICE OF CLAIM WITH THE CITY OF EL MIRAGE

Ratify and approve the filing of a notice of claim with the City of El Mirage regarding the non-CDBG use of the Cada Uno Building as discussed in Executive Session on March 16, 2009.

The City of El Mirage filed a claim against Maricopa County on December 29, 2008. The County contends that the City's current non-CDBG use of the building does not comply with the Housing and Urban Development's (HUD) CDBG regulations. The County has informed the City that using the building for City purposes is contrary to CDBG regulations. As a result of discussions in Executive Session on March 16, 2009, Maricopa County filed a claim against El Mirage on March 30, 2009. (C-06-09-450-M-00)

Victoria Mangiapane, Deputy County Attorney, explained that this meeting ratifies a previous action related to filing a notice of claim. This action is taken in order to comply with the provisions of the Open Meeting Law. She also explained that the second item ratifies the actions related to the Assessor's delegation by the Board to handle matters related to specific property related claims which may be heard at the

State Board of Equalization.

The Chairman stated "this is a special ratification meeting being called pursuant to A.R.S. 38-431.05 of the Open Meeting Law to ratify the previous direction by the Board of Supervisors and any action taken as a result thereof on the matters listed on the agenda for this meeting. The public notice and agenda for today's meeting as well as a detailed written description of the agenda items presented for ratification have been prepared and posted in accordance with the Open Meeting. Those documents are available in the office of the Clerk of the Board."

The Clerk read the Chairman's Statement regarding County Attorney conflict, as follows: "For the record, the Board has previously expressed concerns about the adversarial positions that the county attorney's office has often taken against the board. This concern has caused the Board to retain independent counsel to analyze this apparent ethical conflict and to take actions that may be warranted. The analysis and response is ongoing. In light of these concerns, the Board in no way waives any conflict or ethical issues that exist as a result of the county attorney's presence here."

Motion to ratify and approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Stapley, Wilcox, Wilson
Absent: Kunasek, Brock

2. DELEGATION OF THE ASSESSOR AS THE BOARD'S REPRESENTATIVE REGARDING TAX ERROR CLAIMS FILED BY TOWN OF BUCKEYE PROPERTY OWNERS

Ratify and approve the delegation of the Assessor as the Board's representative to handle Tax Error Claims filed with the Board of Supervisors by Town of Buckeye Property Owners as discussed in Executive Session on February 23, 2009.

This action will approve the delegation to the Assessor to handle the notices of claim filed by property owners of the Town of Buckeye alleging errors in the imposition of a tax rate. These claims are against the Buckeye Valley Fire District. The Assessor will facilitate any meetings held pursuant to A.R.S. § 42-16254. (C-06-09-451-M-00)

Motion to ratify and approve by: Supervisor Stapley, Seconded by: Supervisor Wilcox
Ayes: Stapley, Wilcox, Wilson
Absent: Kunasek, Brock

MEETING ADJOURNED

There being no further business to come before the Board, the meeting was adjourned.

Max W. Wilson, Chairman of the Board

ATTEST:

Fran McCarroll, Clerk of the Board